

REMARKS/ARGUMENTS

The present Response is being filed in reply to the Office Action dated April 4, 2007. Applicant requests a two (2) month extension of time to extend the period of response to and including September 4, 2007.

By the present amendment, claim 27 is amended. Claims 27-30 are pending in the application. No new matter has been added. The amendment of claims should in no way be construed to be an acquiescence to any of the rejections. The amendment of the claims is being made solely to expedite prosecution of the above-identified patent application. Applicants reserve the option to further prosecute the same or similar claims in the present or subsequent patent applications.

Rejection of Claims 27-30 Pursuant to 35 U.S.C. § 103(a)

The Office Action rejected claims 27-30 under 35 U.S.C. § 103(a) as being unpatentable over Sevrain (US Pat Pub 2003/0229348) in view of Brace (US Pat 6,235,033) and in further view of Eberlein et al. (U.S. Patent Publication No. 2001/0021851). Applicants respectfully traverse this rejection based on the above amendments and following arguments.

By the present amendment, claim 27 has been amended to recite first and second cant sections oriented at approximately equal first and second cant angles, respectively, to the longitudinal axis of the spinal fixation plate. Support for this claim amendment can be found in paragraphs 52-54, Figures 5 and 16, and canceled claims 1 and 4-8 of the application as originally filed. Claims 28-30 depend from claim 27.

Sevrain, Brace, and Eberlein, fail to teach or suggest a bone fixation system comprising a spinal fixation plate including first and second cant sections oriented at approximately equal first and second cant angles, respectively, to the longitudinal axis of the spinal fixation plate, as recited in amended claim 27.

For at least this reason, applicant requests the withdrawal of the rejection of independent claim 27, and claims 28-30 dependent thereon, under 35 U.S.C. § 103(a).

Conclusion

In view of the remarks set forth above, it is respectfully submitted that this application is in condition for allowance. Accordingly, allowance is requested. If there are any remaining issues or the Examiner believes that a telephone conversation with the Applicants' attorney would be helpful in expediting the prosecution of the application, the Examiner is invited to call the undersigned at (508) 880-8488.

Respectfully submitted,

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